RESOLUTION NO. 2017-22

A Resolution adopting a new rate schedule for Municipal Court fees and revoking Resolution No. 2015-31.

RECITALS:

Municipal Court fees for services were last amended in Resolution 2015-31, adopted June 23, 2015.

The Municipal Court staff has considered the fees adopted in Resolution 2015-31 and has determined that some of the fees are no adequate when considering the costs of the services provided. Additionally, in certain instances, fees that would preferably reflect rough parity with Circuit Court fees failed to do so. The fee schedule attached hereto as Exhibit A provides amendments to address these issues.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

- 1. The Fee Schedule set forth in Exhibit A is hereby adopted.
- 2. Costs and fees may be modified or waived by the Municipal Court Judge in appropriate cases.
- 3. Resolution 2015-31 is revoked.
- 4. This Resolution will take effect May 1, 2017 and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held March 14th, 2017 by the following votes:

Ayes: Drabkin, Garvin, Jeffries, Menke, Stassens, Ruden
Nays:
Approved this <u>14th</u> day of March, 2017.
Seat a H
MAYOR Approved as to form:
Date
CITY ATTURNET

EXHIBIT A - Municipal Court Fee Schedule

Class B Violation Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial	\$50.00 \$15.00 \$15.00 \$15.00 \$250.00 \$400.00 \$35.00 \$100.00 \$35.00 \$100.00 \$75.00 \$50.00 \$250.00 \$60.00 \$60.00 \$60.00 \$15.00 \$15.00 \$15.00 \$15.00 \$15.00 \$25.00	\$60.00 \$25.00 \$15/mo. of prob. \$25.00 \$400.00 \$35.00 \$125.00 \$125.00 \$100.00 \$15.00 \$1
Arraignment Reset Fee Bench Probation Fee (each application) BUSTED (non-automotive) BUSTED (automotive) Check Return Fee Deadline Extension Fee Any Misdemeanor Class A Violation Class B Violation Class D Violation Expungement Processing Fee Fix-It Fee Class A Violation Class B Violation Class D Violation Class C Violation Class D Violation Fee Safe Driver Program Fee Class A Violation Class D Violation C	\$15.00 \$100.00 \$250.00 \$400.00 \$35.00 \$100.00 \$75.00 \$50.00 \$25.00 \$25.00 \$60.00 \$60.00 \$60.00 \$15.00 \$15.00 \$15.00 \$15.00	\$25.00 \$15/mo. of prob. \$250.00 \$400.00 \$35.00 \$125.00 \$100.00 \$75.00 \$250.00 \$250.00 \$250.00 \$35.00 \$135.00 \$135.00 \$150.00 \$150.00 \$150.00 \$150.00 \$150.00
Bench Probation Fee (each application) BUSTED (non-automotive) BUSTED (automotive) Check Return Fee Deadline Extension Fee Any Misdemeanor Class A Violation Class D Violation Class D Violation Expungement Processing Fee Fix-It Fee Class A Violation Class B Violation Class B Violation Class C Violation Class D Violation Fee Class A Violation Fee Class D Violation Fee Safe Driver Program Fee Class D Violation Class D Violati	\$100.00 \$250.00 \$400.00 \$35.00 \$100.00 \$75.00 \$50.00 \$25.00 \$25.00 \$60.00 \$60.00 \$60.00 \$15.00 \$15.00 \$15.00 \$15.00	\$15/mo. of prob. \$250.00 \$400.00 \$35.00 \$125.00 \$100.00 \$75.00 \$250.00 \$250.00 \$250.00 \$135.00 \$50.00 \$150.00 \$150.00 \$150.00 \$150.00 \$150.00
BUSTED (non-automotive) BUSTED (automotive) Check Return Fee Deadline Extension Fee Any Misdemeanor Class A Violation Class B Violation Class D Violation Expungement Processing Fee Fix-It Fee Class A Violation Class D Violation	\$250.00 \$400.00 \$35.00 \$100.00 \$75.00 \$50.00 \$25.00 \$25.00 \$60.00 \$60.00 \$60.00 \$15.00 \$50.00 \$15.00 \$15.00	\$250.00 \$400.00 \$35.00 \$125.00 \$100.00 \$75.00 \$250.00 \$250.00 \$135.00 \$80.00 \$35.00 \$150.00 \$150.00 \$150.00 \$150.00
BUSTED (automotive) Check Return Fee Deadline Extension Fee Any Misdemeanor Class A Violation Class B Violation Class C Violation Expungement Processing Fee Fix-It Fee Class A Violation Class B Violation Class B Violation Class B Violation Class B Violation Class C Violation Class D Violation Fee Safe Driver Program Fee Class A Violation Class B Violation Class C Violation Class C Violation Class D Violat	\$400.00 \$35.00 N/A \$100.00 \$75.00 \$50.00 \$25.00 \$25.00 \$60.00 \$60.00 \$60.00 \$15.00 \$50.00 \$15.00 \$15.00	\$400.00 \$35.00 \$125.00 \$100.00 \$75.00 \$25.00 \$250.00 \$135.00 \$80.00 \$50.00 \$150.00 \$150.00 \$150.00 \$150.00
Check Return Fee Deadline Extension Fee Any Misdemeanor Class A Violation Class B Violation Class D Violation Expungement Processing Fee Fix-It Fee Class A Violation Class B Violation Class B Violation Class C Violation Class C Violation Class C Violation Class D Violation Fee Safe Driver Program Fee Class A Violation Class D Viola	\$35.00 N/A \$100.00 \$75.00 \$50.00 \$25.00 \$25.00 \$60.00 \$60.00 \$60.00 \$15.00 \$15.00 \$15.00 \$15.00	\$35.00 \$125.00 \$100.00 \$75.00 \$50.00 \$25.00 \$250.00 \$135.00 \$50.00 \$35.00 \$15.00 \$150.00 \$150.00 \$150.00
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Class D Violation Payment Contract Fee (per \$100 of Fine) Maximum Charge Performance of Marriage Fee Pre-Collection Letter Fee Pre-Suspension Letter Fee Probation Violation Fee Safe Driver Program Fee Class A Violation Class B Violation Class D Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$60.00 \$15.00 \$150.00 \$50.00 \$15.00 \$15.00	\$35.00 \$15.00 \$150.00 \$100.00 \$15.00 \$15.00
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Performance of Marriage Fee Pre-Collection Letter Fee Pre-Suspension Letter Fee Probation Violation Fee Safe Driver Program Fee Class A Violation Class B Violation Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$50.00 \$15.00 \$15.00	\$100.00 \$15.00 \$15.00
Pre-Collection Letter Fee Pre-Suspension Letter Fee Probation Violation Fee Safe Driver Program Fee Class A Violation Class B Violation Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$15.00 \$15.00	\$15.00 \$15.00
Pre-Collection Letter Fee Pre-Suspension Letter Fee Probation Violation Fee Safe Driver Program Fee Class A Violation Class B Violation Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$15.00 \$15.00	\$15.00 \$15.00
Pre-Suspension Letter Fee Probation Violation Fee Safe Driver Program Fee Class A Violation Class B Violation Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$15.00	\$15.00
Probation Violation Fee Safe Driver Program Fee Class A Violation Class B Violation Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies		
Safe Driver Program Fee Class A Violation Class B Violation Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies		
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Class B Violation Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$400.00	\$400.00
Class C Violation Class D Violation Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$250.00	\$250.00
Class D Violation Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$150.00	\$150.00
Summons Fee Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$80.00	\$80.00
Non-Traffic Citations Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	780.00	\$80.00
Parking Citations Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$25.00	\$50.00
Suspension of License with DMV Fee Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$15.00	\$15.00
Reinstatement of License with DMV Fee Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$15.00	
Transmittal to Collections Fee 25% Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$15.00	\$15.00
Trial Fees (upon conviction) Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies		\$15.00
Traffic Violation Trial Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	of total	25% of total
Bench Trial Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	ÅE0.00	4400.00
Jury Trial Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$50.00	\$100.00
Trial Reset Fee (after trial readiness conference) Warrant Fee OTHER FEES/RATES Certified Copies First Page Each Additional Page Non-Certified Copies	\$100.00	\$200,00
Warrant Fee OTHER FEES/RATES Certified Copies First Page Each Additional Page Non-Certified Copies	\$150.00	\$300.00
OTHER FEES/RATES Through Certified Copies First Page Each Additional Page Non-Certified Copies	\$100.00	\$200.00
Certified Copies First Page Each Additional Page Non-Certified Copies	\$50.00	\$75.00
First Page Each Additional Page Non-Certified Copies	4/30/17	Effective 5/1/2017
Each Additional Page Non-Certified Copies		
Non-Certified Copies	\$5.00	\$5.00
	\$0.50	\$5.00
1-20 pages		
	\$5.00	\$5.00
Each Additional Page	\$0.50	\$0.25
Court Appointment Attorney (per hour)		\$45.00
Maximum without Trial	\$45.00	\$315.00
Maximum for Bench Trial		\$450.00
Maximum for Jury Trial	\$45.00	\$585.00
Court Ordered Investigator Fee (per hour)	\$45.00 n/a	\$25.00
	\$45.00 n/a \$450.00	\$75.00
	\$45.00 n/a \$450.00 \$600.00	\$125.00
	\$45.00 n/a \$450.00 \$600.00 n/a	
Juror Reimbursement (including mileage)	\$45.00 n/a \$450.00 \$600.00 n/a \$125.00 \$125.00	\$175.00
Reported for Duty Only (per day)	\$45.00 n/a \$450.00 \$600.00 n/a \$125.00	\$175.00
Reported, Selected and Served (per day)	\$45.00 n/a \$450.00 \$600.00 n/a \$125.00 \$125.00 \$125.00	
Notarial Services (per signature)	\$45.00 n/a \$450.00 \$600.00 n/a \$125.00 \$125.00 \$11.00	\$11.00
Subpoenaed Witness Cost	\$45.00 n/a \$450.00 \$600.00 n/a \$125.00 \$125.00 \$11.00 \$21.00	\$11.00 \$21.00
Additional mileage cost per s	\$45.00 n/a \$450.00 \$600.00 n/a \$125.00 \$125.00 \$11.00	\$11.00